

**STATE OF MICHIGAN**  
**DEPARTMENT OF LABOR AND ECONOMIC GROWTH**  
**OFFICE OF FINANCIAL AND INSURANCE REGULATION**  
**Before the Commissioner of Financial and Insurance Regulation**

**Office of Financial and Insurance Regulation,  
Petitioner**

**v**

**Case No. 07-5427**

**Clifford Alan Cohen,  
Respondent**

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**For the Respondent:**

**Clifford Alan Cohen  
5900 Barnstable  
Bloomfield, MI 48322**

**For the Petitioner:**

**Marlon F. Roberts (P68523)  
Office of General Counsel  
Office of Financial and Insurance Regulation  
P.O. Box 30220  
Lansing, MI 48909**

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**Issued and entered  
this 18<sup>th</sup> day of April 2008  
by Ken Ross  
Commissioner**

**FINAL DECISION**

On December 19, 2007, Chief Deputy Commissioner Frances K. Wallace issued an Order for Hearing and Order to Respond in this case. The Order for Hearing set forth detailed allegations that Respondent had erroneously been granted an insurance producer license for which he was not qualified, Respondent having been convicted of a felony before he applied for the license. Sections 1205(1) and 1239(1) of the Michigan Insurance Code, MCL 1205(1) and 1239(1), prohibit issuing insurance producer licenses to individuals who have been convicted of a felony.

On February 13, 2008, the Petitioner filed a Motion for Summary Decision. Respondent failed to respond to this motion. The motion was granted on March 24, 2008 and, in accordance

with sections 1205(1) and 1239(1) of the Michigan Insurance Code, Respondent's insurance producer license was revoked.

On April 4, 2008, Petitioner wrote to OFIR staff and indicated that he had surrendered his insurance producer license by letter to OFIR licensing staff on March 15, 2008, before the order of revocation was issued. OFIR staff has confirmed that the license surrender letter was received on March 18, 2008 but was not made a part of the enforcement proceedings.

The Commissioner notes that the enforcement case seeking the revocation of Petitioner's producer license was one of series of enforcement cases involving producer licenses granted in error to individuals having felony convictions. The purpose of these enforcement cases was to ensure compliance with the requirements of sections 1205(1) and 1239(1) of the Michigan Insurance Code. Petitioner's voluntary surrender of his producer license accomplished the goal of the enforcement action. The license surrender obviated the need for further enforcement action after the date of the license surrender.

### **ORDER**

The order of revocation of March 24, 2008 is vacated. Petitioner's insurance producer license is terminated effective March 18, 2008 pursuant to his voluntary surrender of that license and OFIR licensing records will be corrected to display a license surrender rather than revocation.

A handwritten signature in black ink, appearing to be 'Ken Ross', written over a horizontal line.

Ken Ross  
Commissioner